

VZCZCXRO0233

RR RUEHAG RUEHAST RUEHDA RUEHDF RUEHFL RUEHIK RUEHKW RUEHLA RUEHLN  
RUEHLZ RUEHPOD RUEHROV RUEHSR RUEHVK RUEHYG  
DE RUEHTC #2095 3611252  
ZNR UUUUU ZZH  
R 271252Z DEC 07  
FM AMEMBASSY THE HAGUE  
TO RUEHC/SECSTATE WASHDC 0862  
INFO RUEAWJA/DEPT OF JUSTICE WASHDC  
RUEHZL/EUROPEAN POLITICAL COLLECTIVE

UNCLAS THE HAGUE 002095

SIPDIS

SIPDIS

SENSITIVE

DEPT FOR L/LEI, EUR/WE, EUR/PGI  
JUSTICE FOR OIA

E.O. 12958: N/A

TAGS: [CJAN](#) [KCRM](#) [KJUS](#) [PREL](#) [PGOV](#) [EUN](#) [NL](#)

SUBJECT: STATUS OF RATIFICATION OF EXTRADITION AND MLAT TREATIES:  
NETHERLANDS

REF: STATE 163864

THIS MESSAGE IS SENSITIVE BUT UNCLASSIFIED. PLEASE HANDLE  
ACCORDINGLY.

11. (SBU) SUMMARY. The Dutch ratification package for the U.S.-EU extradition and Mutual Legal Assistance (MLAT) Treaties, including the bilateral implementing agreements, has not yet been submitted to Parliament for approval. The package has been approved by the Cabinet and is currently with the Council of State for review prior to submission to Parliament. The Ministry of Justice official responsible for implementation of the treaties has told us repeatedly that it is impossible to predict how quickly Parliament will act on the package. End Summary.

12. (SBU) According to the Justice Ministry's website, the U.S.-EU Extradition and MLAT Treaty ratification package is before the Council of State, the Netherlands' highest administrative body, which reviews all legislation before it is submitted to Parliament. Marjorie Bonn, the Justice Ministry Legislative Affairs Department Senior Policy Advisor responsible for the ratification package, confirmed during a December 3 conversation with Global Specialist that the Council of State was still reviewing the package. She predicted, as she has in previous discussions with Emboffs, that the ratification debate in Parliament will be thorough and potentially contentious. She attributed this to Parliamentary concern about extraditions to the United States, in particular in cases which may be related to terrorism.

13. (SBU) Progress on the ratification of the U.S.-EU treaties was discussed during the October 25-26 bilateral law enforcement consultations. Bonn explained that once the ratification package is submitted to Parliament, a "written procedure" would be followed, under which Parliamentarians would submit questions and requests for clarification in writing to the Ministry, and receive written responses. She said that, based on past experience of the level of Parliamentary and public, she anticipated a substantial number of questions on the treaties. She said a public debate could follow the written questions and responses. Bonn added that Parliament would be interested, among other issues, in knowing the status of ratification in the U.S. Senate.

14. (SBU) Bonn resisted the U.S. proposal to include language in the agreed conclusions of the consultations stating that the two sides agreed to "work to secure expeditious ratification and implementation" of the U.S.-EU treaties by their respective legislatures. There was no way to "speed up" the ratification process, she said, and it would be inappropriate for the Justice Ministry to appear to tell Parliament how it should proceed on the ratification. The delegations agreed on compromise language that the two sides would keep each other "informed" of the ratification

process on each side.

15. (SBU) Comment. It is not unusual for legislation to progress slowly from the government through the Parliament in the Netherlands. It is difficult to tell whether the slow progress on ratification of the U.S.-EU extradition and MLAT treaties is due simply to the normal deliberative pace of the Dutch legislative process, or whether there is, in fact, likely to be significant resistance in Parliament to expeditious ratification, and the Justice Ministry is attempting to shore up the justification for ratification before submitting the package to Parliament for ratification.

SCHOFER